

REMARKS

Reconsideration of the application is requested.

Claims 12-15 and 17-22 are now in the application. Claims 12-15 and 17-22 are subject to examination. Claim 12 has been amended. Claim 16 has been canceled to facilitate prosecution of the instant application.

Under the heading "Claim Rejections – 35 USC § 102" on page 2 of the above-identified Office Action, claims 12 and 19-22 have been rejected as being fully anticipated by U.S. Publication No. 20040042485 A1 to Gettala et al. under 35 U.S.C. § 102.

The limitations of claim 16 have been added to claim 12. Please see the discussion below.

Under the heading "Claim Rejections – 35 USC § 103" on page 5 of the above-identified Office Action, claims 13-15 have been rejected as being obvious over U.S. Publication No. 20040042485 A1 to Gettala et al. in view of U.S. Patent No. 7,066,041 B2 to Sen under 35 U.S.C. § 103.

The invention as defined by claims 13-15 would not have been suggested for the reasons that will be given below with regard to claim 12 and the teachings in Gettala et al. and Roy.

Under the heading "Claim Rejections – 35 USC § 103" on page 7 of the above-identified Office Action, claims 16-17 have been rejected as being obvious over U.S. Publication No.20040042485 A1 to Gettala et al. in view of U.S. Patent No. 6,775,255 B2 to Roy under 35 U.S.C. § 103. Applicant respectfully traverses.

None of the documents cited the be Examiner discloses or provides any hint towards:

registrationss of the signaling connections with the first device and with the second device occurring during power-on of the gateway.

GETTALA in col.31, lines 31-33 merely discloses that a registration (singular) occurs before any calls are attempted and may occur periodically as necessary.

GETTALA is silent regarding the registrations of the first device and the second device for standby and/or redundancy purposes.

Due to such registrations of the devices during the power-on of the gateway, the current invention enables, e.g., in case of a device failure, a fast and efficient switch-over from one device to the other device. The user does not have to wait until a passive device becomes active. This effect is most efficiently achieved via said early, e.g., simultaneous, registrations of both

devices. Hence, one device is ready to substitute the other device in a fast way without any significant delay perceivable to the user. Such a seamless transition between the devices is important for services, e.g. streaming video applications, which do not tolerate any noticeable interruption or disturbance.

The motivation of ROY is directed to a registration (singular) to be provided prior to a call attempt. This is a necessity; otherwise no call could be processed. Instead, the motivation for the registrations according to the current invention is different: The registrations are provided for an efficient swapping between said devices at any time. Hence, if one device fails, the other device has already been registered, is up and running, and can easily enter its active mode. The motivation for doing such multiple registrations due to redundancy purposes is not suggested by ROY.

Also, combining the teachings in GETTALA and ROY would not render the invention as defined by amended claim 12 obvious to one of ordinary skill in the art. GETTALA. As the Examiner has recognized GETTALA does not disclose this feature of previous claim 16. ROY is also silent regarding the registrations of several devices for redundancy purposes. Hence, applicant does not understand why one of ordinary skill in the art would be motivated to consider the teaching of ROY. Even if one of ordinary skill in the art did consider the teaching in ROY, he/she would be left clueless as how to arrive at the invention as now defined by claim 12 because ROY does not disclose the limitations of claim 16 that have been added to claim 12.

Under the heading "Claim Rejections – 35 USC § 103" on page 8 of the above-identified Office Action, claims 18 have been rejected as being obvious over U.S. Publication No. 20040042485 A1 to Gettala et al. in view of U.S. Patent No. 6,891,833 B1 to Caves, et al. under 35 U.S.C. § 103.

The invention as defined by claim 18 would not have been suggested for the reasons given above with regard to claim 12 and the teachings in Gettala et al. and Roy.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 12. Claim 12 is, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 12.

In view of the foregoing, reconsideration and allowance of claims 12-15 and 17-22 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Appl. No. 10/569,782
Reply to Office Action of January 15, 2009
Amdt. Dated April 14, 2009

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stermer LLP, No. 12-1099.

Respectfully submitted,

/Mark P. Weichselbaum/
Mark P. Weichselbaum
(Reg. No. 43,248)

MPW:ajb

April 14, 2009

Lerner Greenberg Stermer LLP
P.O. Box 2480
Hollywood, Florida 33022-2480
Tel.: (954) 925-1100
Fax: (954) 925-1101